



Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: STEPHANIE BUBENHEIM, PLANNER II *SB*
(480) 503-6625, STEPHANIE.BUBENHEIM@GILBERTAZ.GOV

THROUGH: AMY TEMES, INTERIM PRINCIPAL PLANNER *AT*
(480) 503-6729, AMY.TEMES@GILBERTAZ.GOV

MEETING DATE: AUGUST 1, 2018

SUBJECT: Z18-07, GREENFIELD LAKES NEIGHBORHOOD
COMMERCIAL: REQUEST TO AMEND ORDINANCE NOS. 953
AND 1415 TO REMOVE APPROX. 2.1 ACRES GENERALLY
LOCATED AT THE NORTHEAST CORNER OF GREENFIELD
AND WARNER ROADS FROM THE GREENFIELD LAKES
PLANNED AREA DEVELOPMENT (PAD) AND REZONE SAID
REAL PROPERTY, FROM NEIGHBORHOOD COMMERCIAL
(NC) ZONING DISTRICT WITH A PAD OVERLAY TO
NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICT.

STRATEGIC INITIATIVE: Community Livability

To allow new commercial development opportunities to serve the local community.

RECOMMENDED MOTION

For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z18-07, as requested, subject to the conditions listed in the staff report.

APPLICANT/OWNER

Company: Beus Gilbert PLLC
Name: Dennis Newcombe
Address: 701 N. 44th Street
Phoenix, AZ 85008

Company: Anderson Property Management LLC
Name: Scott Anderson
Address: 6929 N. Hayden Rd. Ste. C-4
Scottsdale, AZ 85250

Phone: (480) 429-3065

Phone: (480) 385-8630

Email: dnewcombe@beusgilbert.com Email: -

BACKGROUND/DISCUSSION

History

| Date | Description |
|--------------------------|---|
| <i>October 17, 1995</i> | Town Council adopted Ordinance No. 952 annexing 400 acres on the southeast and northeast corners of Ray and Greenfield Roads. |
| <i>October 17, 1995</i> | Town Council adopted Ordinance No. 953 (Z95-20) rezoning approximately 340 acres know as Greenfield Lakes PAD with underlying zoning classifications. |
| <i>September 3, 2002</i> | Town Council adopted Ordinance No. 1415 (Z02-07), rezoning lots 2 and 3 of the Greenfield Lakes PAD from C-2 to C-1. |
| <i>May 15, 2003</i> | Design Review Board approved DR03-04: Greenfield Lakes Retail Shops, a multi-tenant single story building on lot 2, the site was never developed. |

Overview

The subject site for this rezoning is part of the Greenfield Lakes PAD Golf Course Clubhouse and amenity area. Located at the northeast corner of Greenfield and Warner Roads, the site was partially developed with golf course amenities under Ordinance No. 953 as Lots 1-3. The golf course clubhouse and facilities were developed in 1998/1999 on a portion of Lot 1. The remainder of Lot 1 and all of Lots 2 and 3 have not been developed. The off-site improvements have already been installed along both arterials and will remain under the ownership and maintenance of the Greenfield Lakes Owner Association. There is currently one right in/right out turning movement on Greenfield Road, one existing right in/right out turning movement on Warner Road and one full motion movement at Parkcrest Street at the east portion of the site that leads to the golf course clubhouse and neighborhood to the north. A portion of the site is within a flood zone and any future development will need to meet flood zone requirements.

Surrounding Land Use & Zoning Designations:

| | Existing Land Use Classification | Existing Zoning | Existing Use |
|-------|---|---|---|
| North | Neighborhood Commercial | Neighborhood Commercial (NC) PAD | Greenfield Lakes Golf Course Clubhouse. |
| South | Golf Course and Residential > 3.5-5 DU/Acre | Public Facility/Institutional (PF/I) PAD and Single Family-7 (SF-7) PAD | Warner Road then Greenfield Lakes Golf Course and Subdivision |
| East | Golf Course | Public Facility/Institutional (PF/I) PAD | Greenfield Lakes Golf Course |
| West | Neighborhood Commercial | Neighborhood Commercial (NC) PAD | Vacant land/Landscape tract for Greenfield Lakes, then Greenfield |

| | | | |
|------|-------------------------|----------------------------------|--------|
| | | | Road |
| Site | Neighborhood Commercial | Neighborhood Commercial (NC) PAD | Vacant |

General Plan

As proposed, the request is in conformance with the existing General Plan land use classification of Neighborhood Commercial and no General Plan Land Use amendment is required with the rezoning request. This request is meeting the General Plan goal of promoting Gilbert as a community to live, work and play by promoting revitalization to under-utilized commercial properties.

Rezoning

The rezoning request is to remove the subject site from the Greenfield Lakes PAD and rezone to conventional Neighborhood Commercial (NC). The Greenfield Lakes PAD limits uses at the northeast corner of Greenfield and Warner Roads under condition (g.) of Ordinance No. 953:

g. The use of the 8.92 acre C-2 parcel located at the northeast corner of Greenfield and Warner Roads shall be limited to a golf course clubhouse/pro shop/restaurant and maintenance facility and community recreation facilities and associated uses.

The existing clubhouse was built in 1998/1999. The two other lots and applicable parking areas have not been developed since the PAD was placed on the property 23 years ago and is now considered an infill site. While Ordinance No. 1415 did change the zoning on lots 2 & 3, it was determined by legal counsel that the PAD condition is still limiting the site and as the lot configuration is now changing, a rezoning would be required for commercial uses outside of the purview of condition (g.).

The applicant is requesting to remove the PAD from a portion of Lot 1 and all of Lots 2 and 3, thereby following the Land Development Code (LDC) regulations for development in NC. The final plat will also be reconfigured into one lot for the existing clubhouse and golf course facilities and one lot for the undeveloped area. The request is not tied to a potential development at this time; a pre-application and design review will be required for any future development along with a traffic impact analysis to evaluate both on-site and off-site improvements.

The subject site will have access to two existing drive entrances onto Warner and Greenfield Roads; the site will also share access with the existing golf course clubhouse parking lot that includes a drive entrance off of Parkcrest Street. Removing the PAD classification will allow for small-scale neighborhood retail, office, and service uses under 25,000 square feet per user or stand-alone building. Per LDC requirements, uses permitted in the NC zoning district will be limited to hours of operation from 6:00AM to 11:00PM.

Project Data Table (Conventional zoning)

| Site Development Regulations | Required per LDC and Ordinance No. 953 NC PAD | Proposed NC |
|---|--|---|
| Maximum Height (ft.)/Stories | 25' | 25' |
| Minimum Building Setbacks (ft.) | | |
| Front to ROW | 20' | 20' or less if internal to an integrated master site plan |
| Side to non-residential | 10' | 10' or less if internal to an integrated master site plan |
| Rear to non-residential | 15' | 15' or less if internal to an integrated master site plan |
| Separation between buildings | 10' | 10' |
| Minimum Required Perimeter Landscape Area | | |
| Front to ROW | 20' | 20' or less if internal to an integrated master site plan |
| Side to non-residential | 10' | 10' or less if internal to an integrated master site plan |
| Rear to non-residential | 15' | 15' or less if internal to an integrated master site plan |

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on December 12, 2017 at the Greenfield Lakes Golf Course Clubhouse. Approximately 6 residents attended the meeting. The residents asked questions regarding uses permitted in the NC zoning district, maximum height, timeline and process of rezoning and the post zoning process. The applicant responded that the request is for conventional zoning and is required to meet sections of the Land Development Code applicable to the NC zoning district and the applicant explained the rezoning process. Residents also asked about the reasoning behind rezoning from NC PAD to NC and voiced concerns about the use of Parkcrest Street. The applicant explained the limitations on uses within the existing ordinance and that there is an existing access on Warner Road and that Parkcrest Street is a public right-of-way adjacent to the site. The NC zoning district permits only low intensity uses with limited hours of operation and the site is not directly adjacent to any residential properties.

Staff has not received any comment from the public.

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

STAFF RECOMMENDATION

For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z18-07 an amendment to Ordinance Nos. 953 and 1415 to remove approx. 1.2 acres generally located at the northeast corner of Greenfield and Warner Roads from the Greenfield Lakes Planned Area Development (PAD) and rezone said real property from Neighborhood Commercial (NC) zoning district with a PAD to Neighborhood Commercial (NC) zoning district, subject to the following conditions.

- a. Recorded documentation of cross access agreements and/or cross access construction agreements and/or shared parking agreements between the new Lot 1 (developed portion of the existing Lot 1) and the New Lot 2 (previously the undeveloped portion of Lot 1 and all of Lots 2 and 3) will be required at the time of with the replat application submittal.
- b. A Property Owner’s Association (POA) or Homeowners Association (HOA) shall be responsible for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas, and landscaping within the rights-of-way.
- c. Developer shall record easements to be owned by the POA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. Such easements shall be open to public access and use.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. B.', with a stylized, cursive script.

Stephanie Bubenheim
Planner II

Attachments and Enclosures:

- 1) Notice of Public Hearing
- 2) Aerial Photo
- 3) Zoning Exhibit
- 4) Legal Description

Notice of Pub

Z18-07 Greenfield Lakes Neighborhood Commercial
Attachment 1: Notice of Public Hearing
August 1, 2018

PLANNING COMMISSION DATE:

Wednesday, August 1, 2018* TIME: 6:00 PM

TOWN COUNCIL DATE:

Thursday, September 6, 2018* TIME: 6:30 PM

* Call Planning Department to verify date and time: (480) 503-6625

**LOCATION: Gilbert Municipal Center
Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona 85296**

* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <http://www.gilbertaz.gov/departments/development-services/planning-development/planning-commission> and <http://www.gilbertaz.gov/departments/clerk-s-office/boards-commissions/town-council>

REQUESTED ACTION:

Z18-07 GREENFIELD LAKES NEIGHBORHOOD COMMERCIAL: Request to amend Ordinance Nos. 953 and 1415 to remove approximately 2.1 acres of real property generally located at the northeast corner of Greenfield and Warner Roads from the Greenfield Lakes Planned Area Development (PAD) and to rezone said real property from Town of Gilbert Neighborhood Commercial (NC) zoning district with a Planned Area Development overlay to Neighborhood Commercial (NC) zoning district, as shown on the exhibit, which is available for viewing in the Planning and Development Services Office. The effect of the rezoning will be to allow for small-scale neighborhood retail, office, and service uses under 25,000 square feet per user or stand-alone building.

SITE LOCATION:



APPLICANT: Beus Gilbert PLLC
CONTACT: Dennis Newcombe
ADDRESS: 701 N. 44th Street
Phoenix, AZ 85008

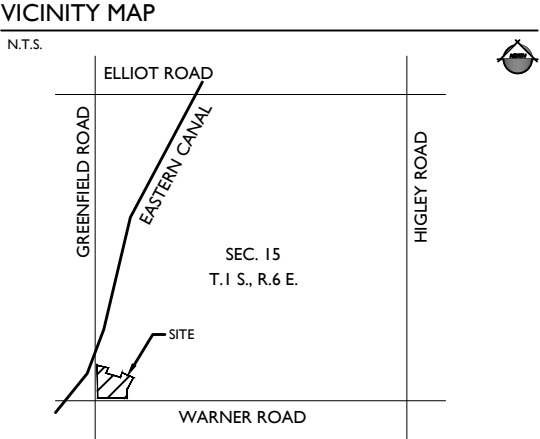
TELEPHONE: (480) 429-3065
E-MAIL: dnewcombe@beusgilbert.com



ZONING EXHIBIT
FOR
GREENFIELD AND WARNER

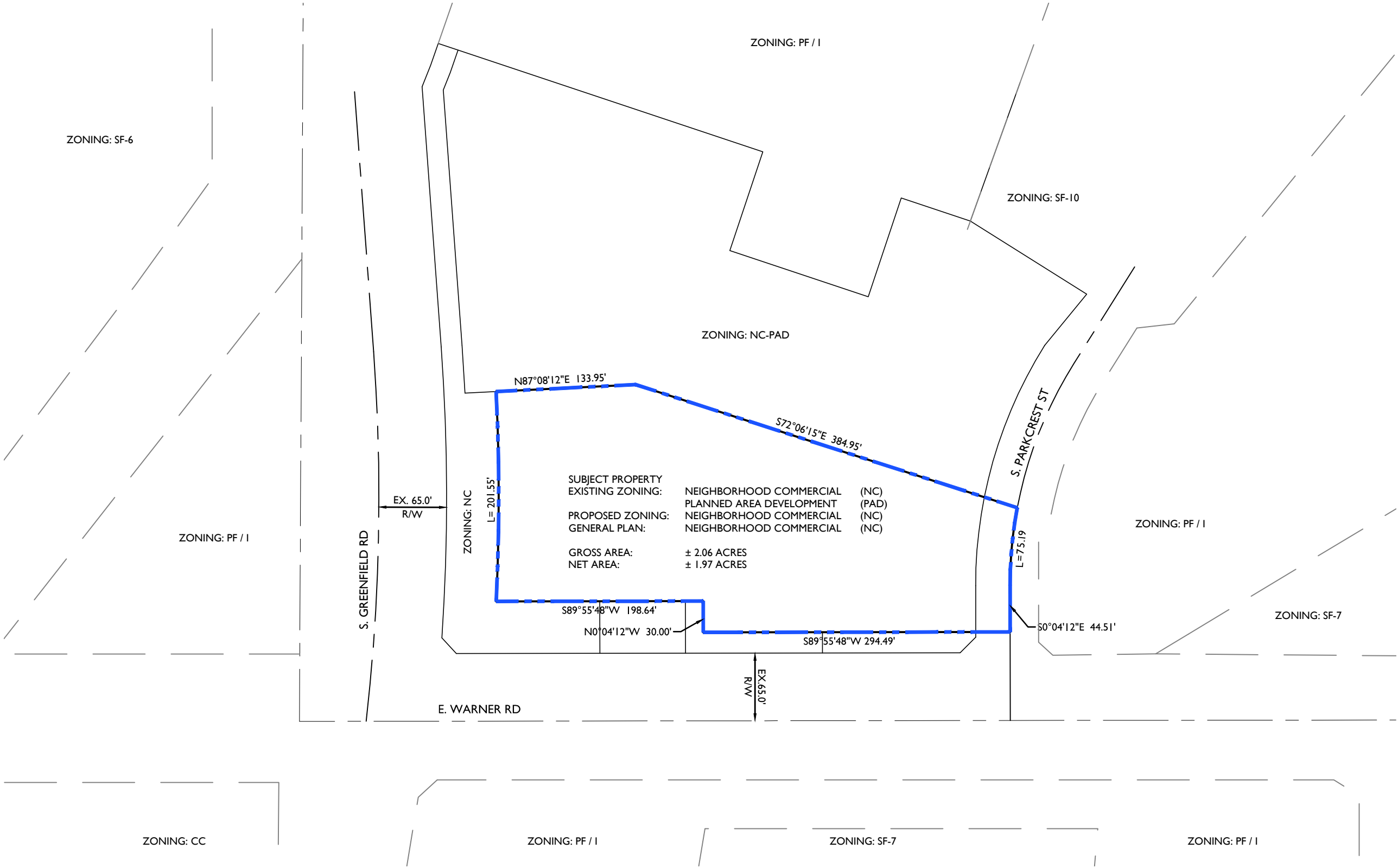
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 15,
T.1 S., R.6 E., GILA AND SALT RIVER MERIDIAN, MARICOPA
COUNTY, ARIZONA

Z18-07 Greenfield Lakes Neighborhood Commercial
Attachment 3: Zoning Exhibit
August 1, 2018



PROJECT INFORMATION

| | | |
|------------------|--------------------------|-------|
| EXISTING ZONING: | NEIGHBORHOOD COMMERCIAL | (NC) |
| PROPOSED ZONING: | PLANNED AREA DEVELOPMENT | (PAD) |
| GENERAL PLAN: | NEIGHBORHOOD COMMERCIAL | (NC) |
| | NEIGHBORHOOD COMMERCIAL | (NC) |
| GROSS AREA: | ± 2.06 ACRES | |
| NET AREA: | ± 1.97 ACRES | |





**Legal Description
Greenfield Lakes Parcel 7D Lots 1-3
Lot 5 Gross Area**

Job No. 17-047

January 10, 2018

A portion of the southwest quarter of Section 15, Township 1 South, Range 6 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at a brass cap in handhole at the southwest corner of said Section 15, from which a brass cap in handhole at the west quarter-corner of said Section 15 bears North 0 degrees 17 minutes 54 seconds East, 2637.77 feet;

thence along the south line of said southwest quarter, North 89 degrees 55 minutes 48 seconds East, 682.07 feet;

thence North 0 degrees 04 minutes 12 seconds West, 85.00 feet to the POINT OF BEGINNING;

thence South 89 degrees 55 minutes 48 seconds West, 294.49 feet;

thence North 0 degrees 04 minutes 12 seconds West, 30.00 feet;

thence South 89 degrees 55 minutes 48 seconds West, 198.64 feet to the beginning of a non-tangent curve, concave Westerly, from which the radius point bears North 87 degrees 09 minutes 35 seconds West a distance of 2024.86 feet;

thence Northerly 201.55 feet along the arc of said curve to the left through a central angle of 5 degrees 42 minutes 11 seconds;

thence on a non-tangent line North 87 degrees 08 minutes 12 seconds East, 133.95 feet;

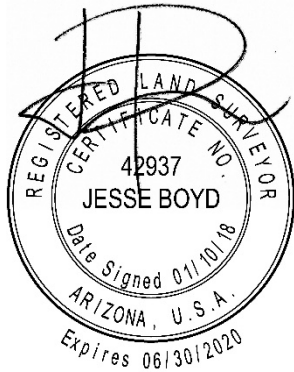
thence South 72 degrees 06 minutes 15 seconds East, 384.95 feet to the beginning of a non-tangent curve, concave Southeast, from which the radius point bears South 79 degrees 18 minutes 00 seconds East a distance of 400.00 feet;

thence Southwesterly 75.19 feet along the arc of said curve to the left through a central angle of 10 degrees 46 minutes 12 seconds;



thence South 0 degrees 04 minutes 12 seconds East, 44.51 feet to the POINT OF BEGINNING.

Contains 2.0634 acres, more or less.



S. GREENFIELD RD.

N0°17'54"E 2637.77'

WEST QUARTER-CORNER
SECTION 15, T1S, R6E
FOUND BRASS CAP IN HANDHOLE

PROPOSED LOT 4

PROPOSED LOT 5

S. PARKCREST STREET

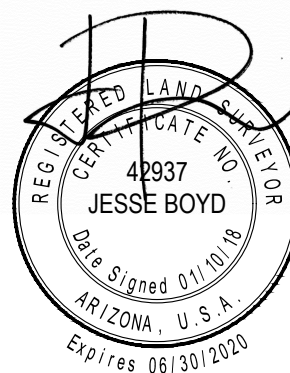
POINT
OF
BEGINNING

682.07'
N89°55'48"E 2605.19'

E. WARNER RD.

POINT OF COMMENCEMENT
SOUTHWEST CORNER
SECTION 15, T1S, R6E
FOUND BRASS CAP IN HANDHOLE

SOUTH QUARTER-CORNER
SECTION 15, T1S, R6E
NOTHING FOUND



I OF 2

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17-047

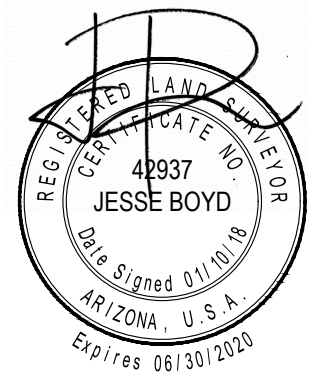
LOT 5 (GROSS)

GREENFIELD LAKES PARCEL 7D LOTS 1-3



| LINE TABLE | | |
|------------|-------------|---------|
| LINE | BEARING | LENGTH |
| L1 | N00°04'12"W | 85.00' |
| L2 | S89°55'48"W | 294.49' |
| L3 | N00°04'12"W | 30.00' |
| L4 | S89°55'48"W | 198.64' |
| L5 | N87°08'12"E | 133.95' |
| L6 | S72°06'15"E | 384.95' |
| L7 | S00°04'12"E | 44.51' |

| CURVE TABLE | | | | | | |
|-------------|---------|----------|-----------|---------|---------|-------------|
| CURVE | LENGTH | RADIUS | DELTA | TANGENT | CHORD | CHORD BRG |
| C1 | 201.55' | 2024.86' | 5°42'11" | 100.86' | 201.47' | N00°00'41"W |
| C2 | 75.19' | 400.00' | 10°46'12" | 37.71' | 75.08' | S05°18'54"W |



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LOT 5 (GROSS)

GREENFIELD LAKES PARCEL 7D LOTS 1-3

